

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

Criminal No. 04-10343-NG

HECTOR OQUENDO)

**JOINT STATUS REPORT
CONCERNING LOCAL RULE 116.5(C)**

The parties respectfully submit this joint status report concerning the issues raised by Local Rule 116.5(C) in anticipation of the June 23, 2005 final status conference in this case:

1. There are no outstanding discovery issues other than those that need to be provided by the government 21 days or fewer before trial.
2. The parties do not anticipate providing additional discovery as a result of the future receipt of information, documents or reports of examinations.
3. The defendant does not intend to raise a defense of insanity or public authority.
4. The government has not requested notice of alibi from the defendant.
5. The defendant does not intends to file any dispositive motions.
6. The parties do anticipate that this case will be resolved through a change of plea.
7. The parties request that the Court exclude the period from today's status conference through the District Court's setting of a Rule 11 motion under 18 U.S.C. § 3161(h)(8).

8. The government will need three trial days to present its case in chief should this matter proceed to trial.

Respectfully Submitted,
HECTOR OQUENDO
By His Attorney

MICHAEL J. SULLIVAN
United States Attorney
By:

/s/ George Gormley (by SPB)
GEORGE GORMLEY, Esq.
617-478-2750

/s/ Seth P. Berman
SETH P. BERMAN
Assistant U.S. Attorney
(617) 748-3385

June 23, 2005